



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 29 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL: 70163010000073490942
RETURN RECEIPT REQUESTED

Ms. Vicki A. Hollub, President and CEO
Glenn Springs Holdings, Inc.
Occidental Petroleum Corporation
5 Greenway Plaza
Suite 110
Houston, Texas 77046

Re: Request for Information, RCRA Corrective Action Site
CITGO East Chicago Indiana Facility
2500 East Chicago Ave., East Chicago, Indiana
EPA ID# IND 095 267 381

Dear Ms. Hollub:

By this letter, the U.S. Environmental Protection Agency (EPA) requests information under Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. § 6927(a). Section 3007 authorizes EPA to require Occidental and Glenn Springs to submit certain information.

This letter requires that you provide the information requested in Attachment B of this letter, using the instructions and definitions included in Attachment A of this letter. This information is required to assess conditions at the facility located at 2500 East Chicago Ave., East Chicago, Indiana.

The attachments specify the information you must submit. You must submit this information to the EPA within twenty-one (21) calendar days of receiving this request, at the following address:

Ms. Michelle Kaysen
U.S. Environmental Protection Agency, Region 5
Remediation and Reuse Branch
Corrective Action Section 2
77 W. Jackson Blvd. (LU-16J)
Chicago, Illinois 60604

RECEIVED

OCT 04 2017

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY

You may, under 40 CFR Part 2 Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR § 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures at 40 CFR Part 2, Subpart B. You must make any request for confidentiality when you submit the information since any information not so identified may be made available to the public without further notice. To request that the Agency treat your information as confidential, you must follow the procedures outlined in Attachment C, including the requirement that you support each claim for confidentiality.

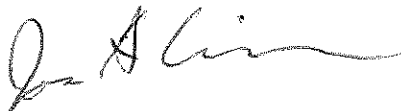
You must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information, in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information, including failure to answer the questions fully and truthfully and within the prescribed time frame, can result in an enforcement action and penalties under Section 3008 of RCRA, 42 U.S.C. § 6928. Other statutes provide that the submission of false or fictitious statements, or misrepresentations can result in sanctions. Please note that responses which are incomplete, ambiguous, or evasive may be treated as non-compliance with this request.

You should direct questions about this request for information to Michelle Kaysen, of my staff, at (312) 886-4253 or at kaysen.michelle@epa.gov.

Sincerely,



Jose G. Cisneros, Chief
Remediation and Reuse Branch

Enclosures

cc: Mike Sickels, IDEM
Doug Griffin, IDEM
Craig Schroer, IDEM

Attachment A

DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 1002 of RCRA, 42 U.S.C. § 6901, *et seq.*, or Volume 40 of the Code of Federal Regulations, in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. "You" means Occidental Petroleum Corporation ("Occidental"), Glenn Springs Holdings, Inc. ("Glenn Springs"), and their subsidiaries, sister companies, affiliates, and/or any employee, officer, contractor, or agent thereof; any predecessor entities, and successor entities, subsidiaries, sister companies, affiliates, or any employee, officer, contractor, or agent thereof.
2. "Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent or person of equivalent responsibility. The authorized representative should be authorized to respond on your behalf.
3. "Certification" means a statement of professional opinion based upon knowledge and belief.
4. "Responsible person" means an officer or agent who is authorized to respond on behalf of Occidental or Glenn Springs.
5. "Document" means any object or device that records, stores, presents, or transmits information. "Document" shall include, but not be limited to:
 - a. writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including (by way of illustration and not by way of limitation) any of the following:
 - (1) invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order;
 - (2) letter, correspondence, fax, telegram, telex, postcard;
 - (3) record book, minutes, memorandum of meetings and telephone and other conversations, telephone messages, inter- or intra-office communications;
 - (4) agreement, contract, and the like;
 - (5) log book, diary, calendar, desk pad, journal, scrapbook;
 - (6) bulletin, circular, form, pamphlet, statement;
 - (7) report, notice, analysis, notebook;
 - (8) graph or chart; or
 - (9) copy of any document.
 - b. microfilm or other film record, photograph, or sound recording on any type of device;

- c. any tape, disc, or other type of memory generally associated with computers and data processing, together with:
 - (1) the programming instructions and other written material necessary to use such disc, or disc pack, tape or other type of memory; and
 - (2) printouts of such disc, or disc pack, tape or other type of memory; and
- d. attachments to, or enclosures with, any document as well as any document referred to in any other document.

6. "Facility" means the property and operations at 2500 East Chicago Avenue, East Chicago, Indiana, identified with EPA ID# IND 095 267 381.

7. "Identify" means:

- a. With respect to a natural person, state: (1) the person's full name; (2) present or last known business and home addresses, telephone numbers, and email addresses; and (3) present or last known employer (include full name and address) with title, position, or business.
- b. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "identify" means to provide its full name, address, and affiliation with the individual or company to whom/which this request is addressed.

8. "Material" means any object, good, product, by-product, substance, or matter of any kind, including but not limited to waste.

9. "Pipe" means any tube, hose, main, duct, channel, pipeline of ceramic, metal, plastic, or other material used at one time to convey water, gas, oil, or other fluid or gaseous substances.

10. "Waste" means trash, garbage, refuse, by-products, solid waste, sludge, hazardous waste, hazardous substance, pollutant, contaminant, or other former discarded material whether solid, liquid, or sludge, including, but not limited to, containers for temporary or permanent holding of such waste.

11. The words "and" and "or" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this information request any information which might otherwise be construed to be outside its scope.

12. Words in the masculine may be construed in the feminine, and vice versa, and words in the singular may be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

INSTRUCTIONS

1. You must provide a complete and separate response to each of the questions or requests in Attachment B. Precede each answer with the number of the Request for Information to which it corresponds. Likewise, for each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
2. In preparing your response to each question, consult with all present and former employees and agents of the Facility who may be familiar with the matter to which the question pertains.
3. In answering each question, identify all contributing sources of information.
4. If you are unable to answer a question in a detailed and complete manner, or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
5. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
6. If anything is deleted or redacted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
7. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
8. An authorized representative or responsible person must sign the certification in Attachment B and return it with the response to this Request for Information.

Attachment B

REQUESTS FOR INFORMATION

1. Provide a written description of the ownership history of the Facility including the approximate dates of ownership and the date you acquired the Facility.
2. Provide a written description of past and current waste generation and management at the Facility including past storage and disposal onsite and offsite.
3. Identify all past and present solid waste management units and/or area of concern (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) at the Facility. For each such solid waste management unit, provide the following information:
 - a. A map showing the unit's boundaries and the location of all known solid waste management units whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units;
 - b. The type of unit (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit;
 - c. The dates that the unit was in use;
 - d. The purpose and past usage (e.g., storage, spill containment, etc.);
 - e. The quantity and types of materials located in each unit;
 - f. The construction (materials, composition), volume, size, dates of cleaning, and condition of each unit; and
 - g. If unit is no longer in use, describe how the unit was closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit.
4. Provide a history of known leaks, spills and releases of hazardous wastes or hazardous constituents (releases or release) at or from the facility including all related documents and reports.
5. For each identified release provide:
 - a. When such release occurred;
 - b. How the release occurred (e.g. how the material, substance or waste was being stored, delivered, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
 - c. The amount of material spilled, leaked or released;
 - d. Where the release occurred;
 - e. Any and all activities undertaken in response to the release or threatened release, including the notification of any agencies or governmental;

- f. Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and
 - g. All persons with information relating to the release.
- 6. Describe any and all excavation and removal of contaminated soil from the Facility. For each excavation or removal identify:
 - a. Amount of soil excavated, including the lateral and vertical extent of excavation;
 - b. Location of excavation;
 - c. Manner and place of disposal and/or storage of excavated soil;
 - d. Dates of soil excavation;
 - e. Identity of persons who excavated or removed the soil;
 - f. Reason for soil excavation;
 - g. Whether the excavation or removed soil contained hazardous wastes or constituents and why the soil contained such substances;
 - h. All analyses or tests and results of analyses of the soil that was removed from the Facility;
 - i. The disposal location or destination of the contaminated soil; and
 - j. All persons, including contractors, with information about (a) through (i) of this request.
- 7. Describe the nature of your business at the Facility. In addition:
 - a. Describe the raw materials and the manufacturing processes utilized by your company and the products of your manufacturing process.
 - b. If the nature of your business has changed significantly since you acquired all or part of the Facility, please describe the nature of your prior business.
 - c. Describe the nature of your activities or business at the Facility with respect to processing, storing, treating, disposing, or otherwise handling wastes and materials at the Facility. Provide available information on historical chemical inventories and waste manifests
- 8. Provide copies of all plans, diagrams, maps, and/or process flow sheets depicting or describing operational processing units (e.g., distillate units, separators, tanks, pits, impoundments, piles and wells) as well as all above-ground and below-ground structures at the Facility. Include all historic and current aerial photos, and all figures showing current site configuration (including surrounding land use if available).
- 9. Provide a list of all local, state and federal environmental permits ever applied for or granted for the Facility or any part thereof (e.g., RCRA permits, NPDES permits, etc.).
- 10. Provide in their entirety all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Facility. Provide copies of all documents containing such data and information, as well as documents containing analysis or interpretation of such data. Include any information related to any

public or private groundwater wells within a three-mile radius of the Facility, and all geologic cross sections and potentiometric (groundwater elevation and flow direction) maps available.

11. Provide information and documentation concerning all hazardous waste inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Facility.
12. Describe all plans or pending plans to investigate soil, water (ground or surface), geology, hydrology or air quality on or about the facility. For each plan identify:
 - a. The nature and scope of these investigations;
 - b. The contractors or other persons that will undertake these investigations;
 - c. The purpose of the investigations;
 - d. The dates when such investigations will take place and be completed; and
 - e. Where on or about the facility the investigations will take place.
13. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted and documents produced in response to an EPA Request for Information and that this response and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, and those persons directly responsible for collecting and providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Attachment C

CONFIDENTIAL BUSINESS INFORMATION

You may consider some of the information confidential that the U.S. Environmental Protection Agency (EPA or Agency) is requesting. You cannot withhold information or records upon that basis. The Regulations at 40 CFR Part 2, Section 200 *et seq.* require that the EPA affords you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth in 40 CFR Part 2, Subpart B. (See 41 Federal Register 36902 *et seq.* (September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).) If no such claim accompanies the information when EPA receives it, the information may be made available to the public by the Agency without further notice to you.

If you wish EPA to treat the information or record as "confidential," you must advise EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential," and identify the number of the question to which it is the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event.
2. The measures that you have taken to guard against disclosure of the information to others.
3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs.
4. Whether EPA or any other federal agency has made pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination.
5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as

substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information.

6. Whether you assert that the information is voluntarily submitted as defined by 40 CFR § 2.201(i). If you make this assertion, explain how the disclosure would tend to lessen the ability of EPA to obtain similar information in the future; and
7. Any other information that you deem relevant to a determination of confidentiality.

Please note that pursuant to 40 CFR § 2.208(e), the burden of substantiating confidentiality rests with you. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that EPA may maintain their confidentiality pursuant to 40 CFR § 2.205(c). If you do not identify this information and documents as "confidential," your comments will be available to the public without further notice to you.